

STATEMENT IN
SUPPORT OF PROBABLE CAUSE

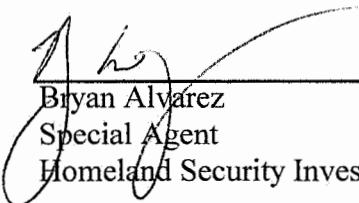
IN RE: **James Franklin JONES**

I, **Bryan Alvarez**, declare and state as follows:

1. On March 6, 2020 at approximately 9:35 pm, Homeland Security Investigations (HSI) Special Agents (SAs) received a request for investigative assistance from United States Border Patrol Agents (BPAs) at the Laredo North Border Patrol Checkpoint located on Interstate 35 (I35) at mile marker 29, in the Southern District of Texas in reference to a human smuggling event. HSI SAs responded to the United States Border Patrol station to conduct interviews.
2. HSI SAs responded to the checkpoint and interviewed BPAs. BPAs stated at approximately 8:55 pm, while working their assigned duties at to the checkpoint, a gray tractor towing a white trailer approached the primary inspection lane. BPAs conducted an immigration inspection of the driver, later identified as, James Franklin JONES, a United States Citizen (USC). During the immigration inspection, a BPA canine was alerting to presence of concealed humans or narcotics in the trailer. The BPAs removed the seal on the trailer doors and an inspection of the trailer resulted in the discovery of ninety (90) undocumented aliens (UDAs) concealed inside.
3. HSI SAs approached JONES and advised him of his Miranda Warnings both verbally and in writing. JONES waived his Miranda Warnings both verbally and in writing. JONES, a resident of San Antonio, TX, stated he received a call from an individual JONES identified as "Roy" and was asked to drive to Laredo, TX and pick up a tractor and trailer and to deliver the trailer to Dallas, TX. JONES stated he was supposed to drive the tractor back to San Antonio, TX where "Roy" was to pay him \$800. JONES stated he had driven for "Roy" a few times before this. One trip was from Laredo, TX to Dallas, TX, but the other trips were from Houston, TX or San Antonio, TX, but the destination was always Dallas, TX. JONES stated he would pick up a tractor and trailer, drive to Dallas, TX, drop the trailer, and return the tractor to San Antonio. JONES stated the last time he did this he dropped the trailer off at a Walmart. He was told that a different tractor would pick the trailers up and take them to their final destinations. JONES stated he believed the trailer he was hauling this time was filled with vehicle transmissions, but there was no legitimate bill of lading found in the tractor for any equipment to be taken to Dallas, TX nor were there auto parts or merchandise of any kind found in the trailer. JONES stated he picked up the truck on a dead end road in the Killam Industrial area in Laredo, TX. JONES, a commercial driver, stated he had forgotten his logbook in San Antonio, TX. JONES allowed SAs to view his call history. There were numerous calls that had taken place between JONES and a Kenneth Tenay between 8:00 pm to approximately 8:45pm. Additionally, there were several missed calls from Tenay after approximately 8:45pm. JONES stated the person calling from Tenay's number was "Roy".
4. SAs used investigative databases to check the cellphone number saved as Kenneth Tenay and found the phone number to be registered to a Kenneth Tenay. Through investigative databases SAs located Kenneth Tenay's photograph and presented it to JONES in the form of a six-person photo array. JONES was able to identify the individual as Kenneth Tenay, a man JONES claimed to know for several years. JONES stated he met Tenay through a company JONES had previously worked for. JONES stated he has met "Roy" in person and stated "Roy" and Tenay were not the same person but was unable to explain why "Roy" was calling JONES from Tenay's number. JONES described "Roy" as an older heavy-set Hispanic male with a buzz cut and a build and TENAY is an older skinny Caucasian male. SAs checked the cellphone number of the cellular phone JONES claimed was his and the number also came back registered to Kenneth Tenay.

5. Estarling PUJOL, a foreign national of the Dominican Republic, Juan Carlos GONZALEZ-Pizana, a foreign national of Guatemala, Candid RAMIREZ-Beltran, Donaldo Eleuterio URIBE, Ignacio TENIENTE-Zamora, Juan de la Cruz MENDOZA-Ordunes, all foreign nationals of Mexico, admitted to illegally entering the United States by crossing the Rio Grande River to then be smuggled to various cities within the United States for various amounts of money and all subjects will be held as material witnesses in this case. URIBE stated he was loaded into the trailer at approximately 8:00pm and within five (5) minutes they began to move and travelled for approximately thirty (30) minutes before being stopped at the BP checkpoint. RAMIREZ stated he got to the trailer at approximately 7:40pm. MENDOZA stated he got to the trailer at approximately 8:00pm and waited for about twenty (20) minutes before the trailer began to move. TENIENTE stated he got to the trailer at approximately 7:30pm and the trailer began to move around 8:10pm – 8:15pm. TIENENTE stated they were instructed to open the trailer doors themselves. GONZALEZ stated he was in the trailer for approximately forty (40) minutes before it was stopped at the BP checkpoint.

I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on the _____ day of _____, _____.



Bryan Alvarez
Special Agent
Homeland Security Investigations

Having reviewed the foregoing declaration, I find probable cause that the defendant(s) named above committed an offense against the laws of the United States and may therefore be further detained pending presentment before a judicial officer.

Executed on the _____ day of _____, _____.

UNITED STATES MAGISTRATE JUDGE